

Case No. F7436(V)

**REMARKS**

Applicants wish to thank the Examiner for her keen review of the present patent application. Moreover, Applicants wish to express their sincere thanks to the Examiner for assisting the undersigned counsel with copies of the pending claims in the present patent application.

i. **Rejection Under 35 USC §112, Second Paragraph**

The Examiner has rejected claims 2-5 and 8 under 35 USC §112, second paragraph. While Applicants respectfully disagree with the rejections, amendments have been made in order to comply with the Examiner's suggestions and to expedite the prosecution of the present patent application. Moreover, these amendments have been made in order to further business objectives. In view of the same, it is respectfully submitted that the rejections made under 35 USC §112, second paragraph are now moot and should be withdrawn.

ii. **Rejection Under 35 USC §102(e)**

The Examiner has rejected claims 1-11 under 35 USC §102(e) as being anticipated by Van Buuren et al., U.S. Patent No. 6,162,480. In the rejection, the Examiner mentions, in summary, that the Van Buuren reference discloses the processing of olive oil in a manner that anticipates the present claims.

While Applicants respectfully disagree, Applicants wish to point out that the present patent application claims priority to European Patent Application No.

Case No. F7436(V)

98204441.4 filed 23 December 1998. In view of this, the Van Buuren et al. reference is not prior art and therefore the rejection made under 35 USC §102(e) should be withdrawn and rendered moot.

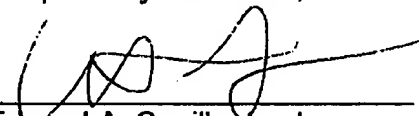
III. Rejection Under Judicially Created Obviousness Type-Doubling Patenting

The Examiner has rejected claims 1-11 under the judicially created obviousness type-doubling patenting as being unpatentable over claims 1-13 of U.S. Patent No. 6,162,480 to Van Buuren et al. While Applicants respectfully disagree, Applicants are herein submitting a terminal disclaimer in order to overcome the obviousness type-double patenting rejection and to expedite the prosecution of the present patent application. In view of this, it is respectfully requested that the obviousness type-double patenting rejection be withdrawn and rendered moot.

Applicants respectfully submit that all claims are now in condition for allowance. Reconsideration and favorable action are earnestly solicited.

In the event the Examiner has any questions concerning the present patent application, she is kindly invited to contact the undersigned at her earliest convenience.

Respectfully submitted,

  
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